



**CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10**

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "Express Mail Post Office to Addressee" service of the United States Postal Service (Express Mail Label No. EL 988001705 US) on the date shown below in an envelope addressed to the Commissioner of Patent & Trademarks, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 19, 2004

By: Sachiko Y. Snedden

Sachiko Y. Snedden

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**  
**APPLICATION**

In re: PATENT APPLICATION of:

Inventor(s): Ware

Appln. No.:	09	549,096
	Series Code ↑	Serial No. ↑

Group Art Unit 1644

Examiner: P. Huynh

Atty. Dkt. 051501-0276397

C-M

Client Ref

Filed: April 12, 2000

Title: LIGAND FOR HERPES SIMPLEX VIRUS  
ENTRY MEDIATOR AND METHODS  
OF USE

R  
C  
E

**DO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR  
REEXAMINATION OF PATENTS**

Mail Stop RCE

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date:

April 19, 2004

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action must be enclosed or previously filed.

04/22/2004 AWONDAF1 00000070 502212 09549096

01 FC:2801 385.00 DA

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed August 26, 2003
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☒ The enclosed Information Disclosure Statement
- ☒ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
- ☒ PTO-1449 ☒ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which charge the required \$130 fee (fee code 1808) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of October 29, 2003 to cover the date this Request is filed. PLEASE CHARGE the requisite fee to our Deposit Account (see below)
- |         |                    |
|---------|--------------------|
| (1 mo)  | \$110/\$55         |
| (2 mos) | \$420/\$210        |
| (3 mos) | \$950/\$475 \$1005 |
| (4 mos) | \$1480/\$740       |
| (5 mos) | \$2010/1005        |
8. PLEASE CHARGE the Rule 17(e) (RCE) filing fee of ☐ \$770 (lg. ent.) ☒ \$385 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit

**NOTE: Rule 17(e) filing fee Cannot be deferred!**

**NO CLAIMS FEE REQUIRED** unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

Account No. 05-2212 under Order No. 051501 / 027 6397  
C# M#

9. Other: Petition to Revive;  
Request for Examiner Interview.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty:

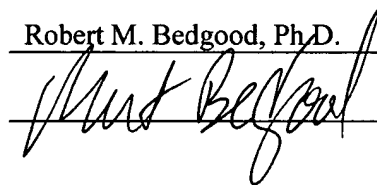
Robert M. Bedgood, Ph.D.

Reg.

No. 43,488

11682 El Camino Real  
Suite 200  
San Diego, CA 92130-2092  
(619) 234-5000  
Atty/Sec: RMB/sys

Sig:



Fax: (858) 509-4010

Tel: (858) 509-4065

**NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)**